



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
JUDICIARY

Tuesday, December 1, 2015

12:00 p.m.

Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of November 10, 2015. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bill before the committee:

HB 4869 (Schor) Courts; juries; physicians to be exempt from jury duty in certain circumstances; provide for.

Nathan Murphy, from Representative Schor's office, gave an overview of the bill. Questions and discussion followed.

Chief Judge Thomas Boyd, of the 55th District Court, representing the Michigan District Judges Association, testified in opposition to the bill. Questions and discussion followed.

Representative Schor testified in support of the bill. Questions and discussion followed.

Peter Cunningham, representing the State Bar of Michigan, testified in opposition to the bill. Questions and discussion followed.

The following submitted cards in support of the bill but did not wish to speak:

Kevin McKinney, representing the Michigan Osteopathic Association.

Michigan Society of Hematology and Oncology.

Andrew Schepers, representing the American Cancer Society Cancer Action Network, and submitted written testimony.

Chairman Kesto laid the committee at ease, the time being 12:40 p.m.

Chairman Kesto called the committee back to order, the time being 12:47 p.m.

Chairman Kesto laid the following bills before the committee:

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|---------|---------------|---|
| HB 4980 | (Kesto) | Criminal procedure; sentencing guidelines; guidelines for crime of knowingly providing false information concerning an ignition interlock device; revise. |
| SB 176 | (Schuitmaker) | Crimes; intoxication or impairment; oversight for ignition interlock servicing centers; provide for department of state. |
| SB 357 | (Schuitmaker) | Occupations; vehicles, dealers and repair facilities; breath alcohol ignition interlock mechanics and servicers; include in motor vehicle service and repair act. |

Herb Gilbert, representing himself, testified with a neutral position on the bills.

Representative Lucido offered the following amendment to SB 176:

1. Amend page 22, line 14, after the first "**the**" by striking out "**12**" and inserting "**24**".

Representative Lucido moved to adopt the amendment to the bill. The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None

Representative Irwin offered the following amendments to SB 176:

1. Amend page 29, line 19, after "**state.**" by inserting "**A service center may employ 1 or more certified BAIID installers to engage in BAIID installation, service, or removal off-site as a mobile certified BAIID installer.**".
2. Amend page 30, line 14, after "**serviced.**" by inserting "**A mobile certified BAIID installer shall ensure that an individual other than an individual specified in subdivision (h) does not observe the installation, service, or removal of a BAIID.**".
3. Amend page 32, line 9, after "**center**" by inserting "**or by a certified BAIID installer authorized to engage in installation, service, or removal of a BAIID off-site as a mobile certified BAIID installer**".

Representative Irwin moved to adopt the amendments to the bill. The motion did not prevail, the vote being 4-3-4.

UNFAVORABLE ROLL CALL

Yeas: Reps. Irwin, Robinson, Chang, Guerra.

Nays: Reps. Kesto, Lucido, Heise.

Pass: Reps. Johnson, Howrylak, Cole, Runestad.

Representative Lucido moved to report out SB 176 with recommendation, as amended, as substitute (H-1). The motion prevailed, the vote being 9-2-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Chang, Guerra.

Nays: Reps. Irwin, Robinson.

Pass: None.

Representative Runestad moved to report SB 357 with recommendation. The motion prevailed, the vote being 9-1-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Chang, Guerra.

Nays: Rep. Robinson.

Pass: Rep. Irwin.

Representative Heise moved to report HB 4980 with recommendation. The motion prevailed, the vote being 9-1-1.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Cole, Runestad, Irwin, Chang, Guerra.

Nays: Rep. Robinson.

Pass: Rep. Howrylak.

Chairman Kesto laid the following bill before the committee:

HB 4795 (Chatfield) Local government; other; prohibition of local ordinances dealing with pistols and other firearms; clarify, and provide penalties.

Representative Heise moved to report HB 4795 with the recommendation that the bill be referred to the Committee on Local Government. The motion prevailed, the vote being 11-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Nays: None.

Pass: None.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 12:56 p.m.

Representative Klint Kesto, Chair

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